

**Introduced by Senator Emmerson**January 26, 2011

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An act to add Section 23304 to the Vehicle Code, relating to vehicles.

## LEGISLATIVE COUNSEL'S DIGEST

SB 125, as introduced, Emmerson. Vehicles: toll highways or vehicular crossings: evading toll payments: penalties.

Existing law makes it unlawful for a person to evade or attempt to evade the payment of tolls or other charges on any vehicular crossing or toll highway and imposes a civil penalty for violation of this law.

This bill would authorize a local authority, by ordinance or resolution, to implement a specified program under which the local authority may attach a wheel boot to, and in some cases impound, a vehicle registered to a "chronic evader of toll payments," as defined.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 23304 is added to the Vehicle Code, to
- 2 read:
- 3 23304. (a) For purposes of this section, the following
- 4 definitions apply:
- 5 (1) "Chronic evader of toll payments" is a person who has been
- 6 issued three or more notices of toll evasion for a violation of
- 7 subdivision (a) of Section 23302.5, over a designated period of
- 8 time, to which the registered owner has not responded.
- 9 (2) "Issuing agency" shall have the same meaning as provided
- 10 in subdivision (e) of Section 40250.

1 (3) “Wheel boot” is a device, also known as a “wheel clamp,”  
2 which is attached to the wheel of a vehicle and is designed to  
3 immobilize the vehicle and prevent the removal of the device and  
4 the wheel.

5 (b) A local authority, by ordinance or resolution, may implement  
6 a program under which the local authority may attach a wheel boot  
7 to the wheel of a vehicle that is located in the local authority’s  
8 jurisdiction and that is registered to a chronic evader of toll  
9 payments who has been issued three or more notices of toll evasion  
10 from an issuing agency authorized to collect tolls within the  
11 jurisdiction of the local authority.

12 (c) (1) The program may require that the wheel boot remain  
13 on the vehicle until all required penalties imposed pursuant to  
14 subdivision (b) of Section 23302.5 are paid to the issuing agency  
15 authorized to collect tolls in the city or county where the violations  
16 occurred.

17 (2) (A) A local authority may remove and store a vehicle upon  
18 which a wheel boot has been attached pursuant to this section if  
19 the penalties are not paid within a time period established by the  
20 local authority, but not less than 72 hours from the time that the  
21 wheel boot was attached.

22 (B) The removal and storage of a vehicle pursuant to this  
23 subdivision shall be consistent, to the extent possible, with the  
24 procedures for removal and storage of a vehicle set forth in Article  
25 2 (commencing with Section 22850) of Chapter 10.

26 (d) A notice of toll evasion violation shall inform the recipient  
27 that repeated unpaid toll evasion violations will subject a vehicle  
28 to restriction of this section.